

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant:      Borran et al.  
Title:            METHOD AND APPARATUS TO ESTABLISH  
                     CONSTELLATIONS FOR IMPERFECT CHANNEL  
                     STATE INFORMATION AT A RECEIVER  
Appl. No.:      10/523,167  
Filing Date:    3/10/2006  
Examiner:      Kevin Michael Burd  
Art Unit:       2611  
Confirmation    8220  
Number:

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated July 10, 2009, concerning the above-referenced patent application, making September 10, 2009, two-months from the mailing date. Accordingly, this response is timely filed within the advisory period.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 6 of this document.

Please amend the application as follows: